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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,577	07/02/2007	Andrew Dellow	851963.425USPC	1336
38106 7590 04/02/2009 SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVENUE, SUITE 5400 SEATTLE, WA 98104-7092				
EXAMINER				
CHEN, SHIN HON				
ART UNIT		PAPER NUMBER		
2431				
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04/02/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/583,577

**Applicant(s)**

DELLOW ET AL.

**Examiner**

SHIN-HON CHEN

**Art Unit**

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-893)  
Paper No(s)/Mail Date 7/2/07.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-36 have been examined.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 7/2/07 is being considered by the examiner.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. U.S. Pat. No. 7216230 (hereinafter Suzuki).
5. As per claim 1, Suzuki discloses a monolithic semiconductor integrated circuit for selectively encrypting or decrypting data, comprising: a plurality of devices each having a unique identifier; a cryptographic circuit arranged to encrypt or decrypt data; a plurality of selectable data routes formed from a plurality of data pathways, along which data may flow between the devices and an external memory, wherein at least one data route passes through the cryptographic circuit and at least one data route does not pass through the cryptographic circuit (Suzuki: column 6 line14-34); and a control arranged to receive the unique identifier of a

selected one of the devices transferring data, and to select one of the at least one data route that passes through the cryptographic circuit, or one of the at least one data route that does not pass through the cryptographic circuit, according to the unique identifier of the selected device (Suzuki: column 6 lines 38-45). Suzuki does not explicitly disclose utilizing unique identifiers of devices to determine data route. However, Suzuki discloses using encryption parameters and network parameters to determine whether selective encryption applies. Therefore, it would have been obvious to one having ordinary skill in the art to utilize network and system information to determine whether selective encryption applies because the goal is to apply encryption based on client capabilities.

6. As per claim 2, Suzuki discloses the circuit of claim 1. Suzuki further discloses wherein the control is further arranged to select a route that passes through the cryptographic circuit if the control determines that the device transferring data is secure (Suzuki: column 9 lines 6-14).

7. As per claim 3, Suzuki discloses the circuit of claim 1. Suzuki further discloses wherein the control is further arranged to select a route that does not pass through the cryptographic circuit if the control determines that the device transferring data is insecure (Suzuki: column 6 lines 23-33).

8. As per claim 4, Suzuki discloses the circuit of claim 3. Suzuki further discloses wherein the control is arranged to use the unique identifier to determine that the selected device is secure or insecure (Suzuki: column 6 lines 30-34: the encryption parameters).

9. As per claim 5, Suzuki discloses the circuit of claim 4. Suzuki further discloses wherein the control is further arranged to use the unique identifier as an index to a look-up table containing an indication of which of the devices are secure or insecure (Suzuki: column 6 lines 46-60).

10. As per claim 6, Suzuki discloses the circuit of claim 1. Suzuki further discloses wherein the plurality of devices includes at least one of, a cryptographic processor, direct memory access unit, central processing unit, moving picture experts group decoder, read only memory, programmable transport interface, universal serial bus interface, or broadcast receiver (Suzuki: column 4 lines 38-56).

11. As per claim 7, Suzuki discloses the circuit of claim 1. Suzuki further discloses wherein the data includes video data, audio data, encryption keys, or data broadcast over air (Suzuki: column 5 lines 35-47: RTP packets).

12. As per claim 8, Suzuki discloses the circuit of claim 1. Suzuki further discloses wherein the control is further arranged to cause the cryptographic circuit to encrypt data transmitted from a first device of the devices to the external memory only if the first device is secure, and to cause the cryptographic circuit to decrypt data from the external memory to a second device of the devices only if the second device is secure (Suzuki: column 6 lines 14-33).

13. As per claim 9, Suzuki discloses the circuit of claim 1. Suzuki further discloses wherein the external memory is separated into a plurality of mutually exclusive regions, and the circuit further comprises: a register for storing data for distinguishing the regions of the external memory; and a filter through which the data routes connecting the devices and the external memory pass, arranged to selectively block a data access to or from the external memory according to the unique identifier of a device, of the devices, requesting the data access, and according to which region of the external memory is being accessed (Suzuki: column 6 lines 34-60).

14. As per claim 10, Suzuki discloses the circuit of claim 9. Suzuki further discloses wherein some of the regions of the external memory store privileged data, and the other regions of the external memory store unprivileged data (Suzuki: column 6 line 47-60).

15. As per claim 11, Suzuki discloses the circuit of claim 9. Suzuki further discloses wherein the register is arranged to store start and end memory addresses of each region of the external memory (Suzuki: column 6 lines 52-60).

16. As per claim 12, Suzuki discloses the circuit of claim 11. Suzuki further discloses wherein the filter is arranged to compare a memory address of data being accessed with contents of the register to determine which region of the external memory is being accessed (Suzuki: column 7 lines 42-60).

17. As per claim 13, Suzuki discloses the circuit of claim 12. Suzuki further discloses wherein the filter is arranged to selectively block data accesses requested by secure devices to unprivileged regions of data (Suzuki: column 7 lines 42-60).

18. As per claim 14, Suzuki discloses the circuit of claim 12. Suzuki further discloses wherein the filter is arranged to selectively block data accesses requested by insecure devices to privileged regions of data (Suzuki: column 7 lines 42-60).

19. As per claim 15, Suzuki discloses the circuit of claim 1. Suzuki further discloses wherein the semiconductor integrated circuit is a television decoder (Suzuki: column 4 lines 49-56).

20. As per claim 16-36, claims 15-36 encompass the same scope as claims 1-15. Therefore, claims 16-36 are rejected based on the same reason as set forth above in rejecting claims 1-15.

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nobel et al. U.S. Pub. No. 20040083361 discloses secure transmission using adaptive transformation and plural channels.

Judge et al. U.S. Pub. No. 20030172167 discloses method for secure communication delivery.

Master et al. U.S. Pat. No. 6968454 discloses method for generating a unique hardware adaptation inseparable from correspondingly unique content.

Lyle U.S. Pat. No. 7242766 discloses method for encrypting and decrypting data using an external agent.

Bacchus et al. U.S. Pat. No. 7219223 discloses method for providing data from a service to a client based on encryption capabilities of the client.

Fletcher et al. U.S. Pat. No. 7010681 discloses method for selecting encryption levels based on policy profiling.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHIN-HON CHEN whose telephone number is (571)272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen  
Examiner  
Art Unit 2431

/Shin-Hon Chen/  
Examiner, Art Unit 2431